

Doc # 5334
ADOPTED
8/15/90

RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY RE: CHAPTER 91
LICENSING IN RELATION TO NEW ENGLAND AQUARIUM PROJECT

WHEREAS, the Boston Redevelopment Authority (the "Authority") voted on May 31, 1990 to tentatively designate the New England Aquarium Corporation ("NEA") as redeveloper of Parcel 5 in the Charlestown Navy Yard, Charlestown Urban Renewal Area Project No. Mass. R-55; and

WHEREAS, in furtherance of the requirements of the Authority's May 31, 1990 Resolution, NEA is preparing to file applications with the Department of Environmental Protection for licensing under Chapter 91 of the Massachusetts General Laws; and

WHEREAS, the Authority can provide important assistance to NEA by making or joining applications for licensing under Chapter 91; and

WHEREAS, in relation to the applications under Chapter 91 contemplated with respect to the proposed redevelopment of properties at Central Wharf, the regulations under Chapter 91 require that there be a determination by the Authority that such Central Wharf project provides essential economic support to an associated water-dependant use project of particular statewide or regional significance; and

WHEREAS, the development by NEA of a new aquarium in the Charlestown Navy Yard is a water-dependent use project of particular statewide or regional significance to which the redevelopment and disposition of Central Wharf and adjacent properties will provide essential economic support;

NOW, THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That the Authority hereby determines that the redevelopment of the Central Wharf area, including the present location of the New England Aquarium and adjacent land areas, will provide essential economic support to the proposed new aquarium facility on Parcel 5 in the Charlestown Navy Yard, an associated water-dependent use project of particular statewide and regional significance.
2. That the Director be and hereby is authorized to make or join in applications and to execute all documents he deems necessary for licensing under Chapter 91 of the Massachusetts General Laws as the Director determines is appropriate in relation to the plans for redevelopment of the Central Wharf area and construction of a new aquarium facility at Parcel 5, (as amended) and in the best interests of the Authority.

MEMORANDUM

August 15, 1990

TO: BOSTON REDEVELOPMENT AUTHORITY
STEPHEN COYLE, DIRECTOR

FROM: PAUL BARRETT, ASSISTANT DIRECTOR
HARBOR PLANNING AND DEVELOPMENT
VICTOR KAREN, DEPUTY DIRECTOR
HARBOR PLANNING AND DEVELOPMENT

SUBJECT: CHAPTER 91 LICENSING BY THE AUTHORITY AND
THE NEW ENGLAND AQUARIUM CORPORATION

SUMMARY: THIS MEMORANDUM REQUESTS A FINDING AND AUTHORITY TO
ACT IN RELATION TO CHAPTER 91 LICENSING.

On May 31, 1990 the Authority tentatively designated the New England Aquarium Corporation (NEA) as the redeveloper of Parcel 5 in the Charlestown Navy Yard. In furtherance of the requirements of that tentative designation, NEA is preparing to file applications with the Department of Environmental Protection for licensing under Chapter 91 of the Massachusetts General Laws. Pursuant to provisions of new regulations under Chapter 91, certain "grandfathering" applications need to be filed prior to the October 4, 1990 effective date.

One of the requirements of NEA's application with respect to its Central Wharf property is that there be a determination by the Authority that the proposed development and disposition of Central Wharf "provides essential economic support to an associated water-dependent use project of particular statewide or regional significance". The Authority staff believes that NEA's proposed new aquarium in Charlestown is a water-dependent use project of particular statewide and regional significance, and that the proposed redevelopment and disposition of Central Wharf properties will provide essential economic support thereto, and consequently recommends that the Authority so determine.

Both in the Charlestown Navy Yard and adjacent to NEA's Central Wharf property there are parcels subject to the control of the Authority which will or are likely to be related to the development projects. In order to obtain the protection and benefit of the grandfathering provisions in the new Chapter 91 regulations, it appears that it will be advisable for the Authority to join with NEA or to file separate applications under such regulations. It is therefore recommended that the Director be authorized to make or join in such applications pursuant to applicable regulations promulgated under Chapter 91 as the Director deems necessary and in the best interests of the Authority.

An appropriate vote and resolution follows:

VOTED: That the Authority hereby adopts the attached resolution providing for authorization to file license applications under Chapter 91 of the Massachusetts General Laws in relation to plans for redevelopment of Central Wharf area and construction of a new aquarium in the Charlestown Navy Yard.

